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from:

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date:

November 28, 2006

subject:

US Serial No. 10/688,993

pages:

3, including this page

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Merek, Blackmon and Voorhees, LLC
November 28, 2006

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Examiner Gregory A. Wilson
Art Unit 3749

By fax

Re: US Patent Application No. 10/688,993 of
Gunnar Heskestad for
ROOF AIR MAKE-UP FOR EXHAUST OF FIRE SMOKE

Dear Mr. Wilson:

In accordance with the discussions during our interview on November 16, 2006, I submit herewith amended claims for your informal review.

Amended claims 7 and 15 call for the space to be defined by a building. Any space in the fireplace unit of Blackburn et al. is not defined by a building. As a result, there should be less concern about a potential finding of the quality review committee that a space inside the fireplace of Blackburn et al. reads on amended claims 7 and 15. Claims 7 and 15 have also been amended to recite "an upper boundary wall". This was done to give the upper boundary more structure so that the quality review committee will not find that a horizontal plane through the vent pipe 60 of Blackburn et al., at the level of the roof of the building in which the fireplace is located, satisfies the amended limitation. There is no upper boundary wall in the vent pipe 60 of Blackburn et al. at the level of the roof of the building in which the fireplace is located. Claims 7 and 15 have further been amended to recite exhausting from the space the smoke that accumulates from the upper boundary wall of the space downward. This was done so that the quality review committee will not find that this added limitation is satisfied by any smoke that is thought to accumulate in the firebox 10 of the fireplace of Blackburn et al. from which it is exhausted.

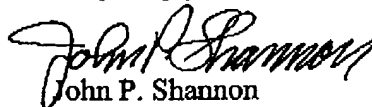
Please let me know if you would allow claims 7 and 15 as proposed herein.

A formal response to the Office Action and a request for a one-month extension of time are due to be filed by December 8, 2006.

I look forward to receiving your Interview Summary.

If you have any questions or comments, please call me at 703 684-5633.

Very truly yours,


John P. Shannon

Patent, Trademark & Copyright Law

James J. Merek Robert N. Blackmon David H. Voorhees John P. Shannon

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